

1
2 of Discovery.

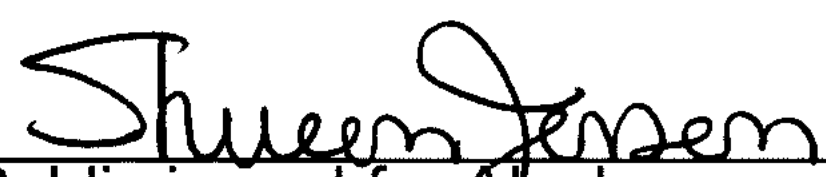
3 4. Recently, Plaintiff's counsel complained when the undersigned indicated he would
4 be Renoticing Mr. Callow for deposition the morning of March 27, 2006, rather than
5 as scheduled in the afternoon, thus allegedly seeking an undue advantage, by the
6 undersigned proceeding to take Mr. Callow's deposition prior to that of Mr. George.
7 Later, the undersigned received an e-mail from Plaintiff's counsel who said it would
8 be impossible to Notice up the deposition of Mr. George since he had yet to receive
9 a Report. As a courtesy to opposing counsel, and not wanting an "undue
10 advantage", the undersigned will not alter the deposition date and time for Mr.
11 Callow, i.e., March 27, 2006 at 1:00 p.m., as the last thing he wants is for Plaintiff's
12 counsel to be prejudiced. Plaintiffs can easily Notice the deposition of Mr. George
13 for 9:00 a.m. on March 27, 2006 and, therefore, both depositions can easily be
14 completed prior to the close of Discovery. There should be no issue on this matter,
15 but the undersigned felt it incumbent upon him to respond to Plaintiff's Oppositions
16 relating to this issue, in an effort to bring this matter to its appropriate and proper
17 close. Let us get on with the case and cease haggling over these nonsensical
18 procedural issues.

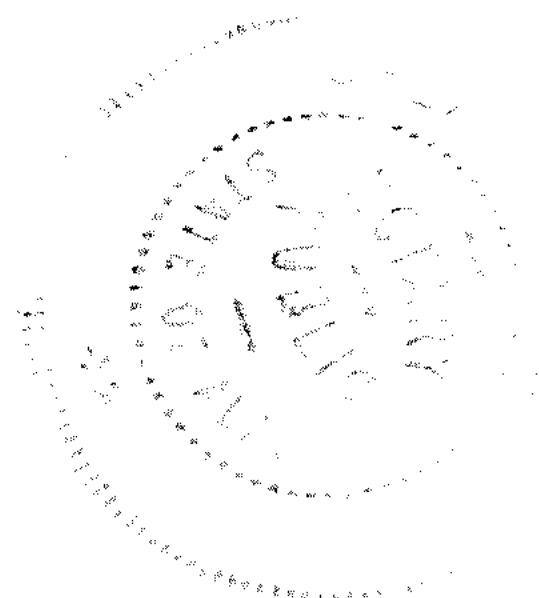
19 FURTHER YOUR AFFIANT SAYETH NAUGHT.

20 Dated this 10 day of March, 2006.

21 
22 Herbert A. Viergutz

23 SUBSCRIBED AND SWORN TO before me this 10 day of March, 2006.

24 
25 Notary Public in and for Alaska
My Commission Expires: 11-17-06



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